	Application No.	**Applicant(s)**
Notice of Allowability	09/874,578	FLORES ET AL.
	Examiner	**Art Unit**	
	Haresh Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *2/14/2005*.

2. ☒ The allowed claim(s) is/are *21-37*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

           International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☒ to Paper No./Mail Date *10/27/2003*.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *6/10/2005* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

<div align="center">EXAMINER'S AMENDMENT</div>

1.   Claims 21-37 are presented for examination. Claims 1-20 are cancelled.

2.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

3.   Authorization for this examiner's amendment was given in a telephone interview with

Reena Kuyper on June 10, 2005.

<div align="center"><i>Amendments to the Claims</i></div>

4.   The claims 21-37 are amended as below:

Claim 21 (Currently Amended): A method of tracking user progress in a software

application, said method comprising:

a monitor program accessing a first <u>application</u> program <u>interface (API)</u> call from said

software application<u>; wherein,</u> said first <u>API</u> ~~program~~ call providing a first content descriptor and

a request to start measuring <u>an amount of usage of the software application, and said user</u>

<u>progress identifies the amount of usage of the software application by said user</u>;

said monitor program incrementing a usage measure until receiving a second ~~program~~

<u>API</u> call from said software application requesting to stop said measuring;

storing said usage measure and said first content descriptor in a computer readable

medium, wherein said user progress is measured by said monitor program as directed by said

software application;

said monitor program accessing a third ~~program~~ API call from said software application,

said third ~~program~~ API call providing a second content descriptor and a provided measure of said

user progress; and

storing said provided measure of said user progress and said second content descriptor in

the computer readable medium, wherein said software application provides said provided

measure of said user progress.

Claim 22 (Currently Amended): The ~~A~~ method as recited in Claim 21, wherein said first

and second content descriptors identify information selected from a group consisting of levels of

a game, segments in an electronic document, and web pages.

Claim 23 (Currently Amended): The ~~A~~ method as recited in Claim 21, wherein said

provided measure of user progress describes percent usage of content identified by said second

content descriptor.

Claim 24 (Currently Amended): The ~~A~~ method as recited in Claim 21, further

comprising:

associating a unique identifier with said software application that identifies a program

version.

Claim 25 (Currently Amended): A method of tracking user interaction with portions of a

software application, said method comprising:

a monitor program accessing a first application program interface (API) ~~call~~ from said

software application; wherein, said first API call providing ~~comprising~~ a first content descriptor

identifying a first portion of the software application and a request to start measur~~ing~~e an amount

of usage of said first portion, said tracking tracks progress in the software application by said

user, and said progress identifies an amount of usage of the software application by said user;

said monitor program determining a first usage value for said first portion of content in

response to said first ~~program~~ API call;

said monitor program accessing a second ~~program~~ API call from said software

application comprising a second descriptor identifying a second portion of the software

application and a request from the software application to start measur~~ing~~e an amount of usage

of said second portion;

said monitor program determining a second usage value for said second portion of

content in response to said second ~~program~~ API call; and

storing, in a computer readable medium, said first usage value and said second usage

value associated respectively with said first descriptor and said second descriptor, wherein said

first usage value and said second usage value define said user interaction with said first portion

and said second portions of said software application.

Claim 26 (Currently Amended): The A method as described in Claim 25, further comprising:

accessing a third program call comprising a third descriptor identifying a third portion of the calling program and a third usage value for said third portion; and

storing said third usage value corresponding to said third descriptor.

Claim 27 (Currently Amended): The A method as described in Claim 26, wherein said third usage value is percent utilization of said third portion.

Claim 28 (Currently Amended): The A method as described in Claim 26, wherein said third descriptor identifies a level of a game.

Claim 29 (Currently Amended): The A method as described in Claim 26, wherein said third descriptor identifies a segment in an electronic document.

Claim 30 (Currently Amended): The A method as described in Claim 25, wherein said first and second descriptors identify levels of a game.

Claim 31 (Currently Amended): The A method as described in Claim 25, wherein said first and second descriptors identify segments in an electronic document.

Claim 32 (Currently Amended): The A method as described in Claim 25, further comprising:

transferring said first and second usage values to a repository; and

tabulating and reporting said first and second usage values.

Claim 33 (Currently Amended): The A method as described in Claim 25, further comprising:

associating a unique identifier with said software application that identifies a program version.

Claim 34 (Currently Amended): A method of tracking user progress in a software application executing on an electronic device, said method comprising:

an operating system running on said electronic device accessing a first application program interface (API) call from said software application; wherein, said first API program call providing comprising a first content descriptor and one of a request to start measuring an amount of usage of the software application, and said user progress identifies the amount of usage of the software application by said user; and

if said program first API call contains said request to measure said user progress;

said operating system incrementing a usage measure until receiving a program second API call from said software application requesting to stop said measuring;

said operating system storing, in a computer readable medium on said electronic device,

said usage measure and said first content descriptor, wherein said user progress in said software

application is measured by said operating system as directed by said software application;

if said operating system accessing a third API call from said software applicaition, said

third API call providing a second content descriptor and said program call contains said a

provided measure of said user progress; and

said operating system storing, in the computer readable medium on said electronic

device, said measure of said user progress and said second content descriptor, wherein said

provided measure of said user progress in said software application is provided by said software

application.

Claim 35 (Currently Amended): The A method as described in Claim 34, wherein said

measure of user progress describes percent usage of content identified by said content descriptor.

Claim 36 (Currently Amended): The A method as described in Claim 35, wherein said

first and second descriptors identify levels of a game.

Claim 37 (Currently Amended): A The method as described in Claim 35, wherein said

first and second descriptors identify segments in an electronic document.

Allowable Subject Matter

5.   Claims 21-37 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

June 12, 2005

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